

UNIFORM APPLICATION FOR MONTANA HOUSING LOAN, GRANT & TAX CREDIT PROGRAMS

http://housing.mt.gov/Hous_Apps.asp



Montana Department of Commerce

- ✓ Community Development Block Grant (CDBG)
 - ✓ Montana Board of Housing (MBOH)
- ✓ Montana Home Investment Partnerships (HOME) Program

U.S. Department of Agriculture

- ✓ Rural Development (RD)



UNIFORM APPLICATION FOR MONTANA HOUSING LOAN, GRANT & TAX CREDIT PROGRAMS TABLE OF CONTENTS

SECTION 1 -- INTRODUCTION AND PROGRAM DESCRIPTIONS 1 MONTANA DEPARTMENT OF COMMERCE 3

COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM	3
MONTANA BOARD OF HOUSING	5
LOW INCOME HOUSING TAX CREDIT PROGRAM	5
MULTIFAMILY RISK SHARING PROGRAM.....	7
MULTIFAMILY GENERAL OBLIGATION (G.O.) PROGRAM.....	8
SINGLE FAMILY SET-A-SIDE PROGRAM.....	9
HOME INVESTMENT PARTNERSHIPS PROGRAM (HOME)	10

USDA RURAL DEVELOPMENT 11

HOUSING PRESERVATION GRANTS	11
RURAL RENTAL HOUSING 515 PROGRAM	12
FARM LABOR HOUSING 514 & 516 PROGRAM	14
SECTION 538 - GUARANTEED RURAL RENTAL HOUSING PROGRAM	15
COMMUNITY FACILITIES LOAN AND GRANT PROGRAMS.....	17

SECTION 2 -- UNIFORM APPLICATION Error! Bookmark not defined.

INSTRUCTIONS	ERROR! BOOKMARK NOT DEFINED.
REQUIRED ORDER OF APPLICATION	26
UNIFORM APPLICATION FORMS	27



We make every effort to ensure that our documents are fully accessible to persons with disabilities. Alternative accessible formats of this document will be provided upon request. Please contact the Montana Department of Commerce at 406-841-2820 or TDD 406-841-2702 or the Montana Relay Service 711.

SECTION 1

INTRODUCTION AND PROGRAM DESCRIPTIONS

This Uniform Application for Montana Housing Loan, Grant and Tax Credit Programs packet contains the common forms and checklists the applicant must submit when seeking financial assistance from any of the funding programs listed below.

The participating programs developed this packet and common forms and checklists to reduce the time, effort and expense incurred when applying to multiple agencies for financial assistance.

The applicant can copy the completed forms and checklists in this packet and submit them to any of the participating programs. Refer to the program descriptions to identify eligible applicants.

The following programs have adopted the application materials contained in this packet:

Montana Department of Commerce

- Community Development Block Grant (CDBG) Program
- Montana Board of Housing (MBOH)
- Low Income Housing Tax Credit Program
- Multifamily Risk Sharing Program
- Multifamily General Obligation (GO) Program
- Single Family Set-A-Side Program
- Montana HOME Investment Partnerships Program (HOME)

U.S. Department of Agriculture - Rural Development

- Housing Preservation Grants
- Rural Rental Housing 515 Program
- Farm Labor Housing 514 & 516 Program
- Section 538-Guaranteed Rural Rental Housing Program
- Community Facilities Loan and Grant Programs

Each program has a unique mission and individual program requirements along with different ranking priorities for funds. It is important for the applicant to contact each program to obtain the program-specific application guidelines and any program supplemental information or materials required.



Be sure to contact each program for specific application deadlines and guidelines.

The forms and checklists found in this packet are intended for applicants applying for funding of **housing-related projects**.

It is important that applicants carefully complete the application materials. If the required information is not provided, the application may be rejected or processing delayed while the funding agency contacts the applicant for additional information. If an incomplete application is submitted and the application is being reviewed by a competitive funding program (CDBG, HOME and Tax Credits), ranking points could be reduced and funding jeopardized.

This packet includes:

- Information about each funding program;
- A Checklist of Required Forms;
- The Uniform Application Form for Montana Housing Projects with instructions;
- The Environmental Uniform Request for Information

The application materials provided in this packet are available on computer disk. Some of the information requested in the application materials is presented in tables, which can be easily expanded when prepared on a computer. In addition, applicants using the computerized application materials can integrate information where appropriate rather than attaching separate sheets.

The packet was formatted in Microsoft Word 6.0 for Windows and Microsoft Excel 5.0. Upon request, the application materials can also be provided in other versions of Microsoft Word and some other word processing programs. However, if the packet is reformatted for a different word processing or spreadsheet program, it could change the format, function, and appearance of some of the information.

If you need additional copies of this packet, a computer disk with the packet and forms on it, or if you have any questions, contact one of the following programs:

USDA Rural Development - Rural Housing Service

Deborah Chorlton, Housing Program Director (e-mail: deborah.chorlton@mt.usda.gov)
PO Box 850
Bozeman, MT 59771
Phone: (406) 585-2515 / Fax: (406) 585-2565
<http://www.rurdev.usda.gov/mt/RHS/rhs%20front%20page.htm>

**Montana Department of Commerce - Community Development Block Grant (CDBG)
Housing and Public Facilities Program**

Joanne Gilbert, CDBG Program Assistant (e-mail: jgilbert@mt.gov)
PO Box 200523
Helena, MT 59620-0523
Phone: (406) 841-2791 / Fax: (406) 841-2771
http://comdev.mt.gov/CDD_cdbg.asp

Montana Department of Commerce - HOME Investment Partnerships Program

Ethan Stapp, Program Manager (e-mail: estapp@mt.gov)
PO Box 200545
Helena, MT 59620-0545
Phone: (406) 841-2820 / Fax: (406) 841-2821
http://housing.mt.gov/Hous_Apps.asp

Montana Department of Commerce - Montana Board of Housing

Mathew Rude, Multi-Family Program Manager (e-mail: mrude@mt.gov)
Nancy Leifer, Single-Family Program Manager (e-mail: NLeifer@mt.gov)
PO Box 200528
Helena, MT 59620-0528
Phone: (406) 841-2840 / Fax: (406) 841-2841
http://housing.mt.gov/Hous_Apps.asp

MONTANA DEPARTMENT OF COMMERCE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM

The **CDBG Housing and Public Facilities Grants Program**, administered by the Community Development Division of the Department of Commerce (MDOC), is a competitive grant program that distributes federal funds received by MDOC from the U.S. Department of Housing and Urban Development (HUD). This program is designed to help communities with populations of less than 50,000 address their most critical housing, public infrastructure and community development needs. CDBG Housing Grants are intended to assist communities in a wide range of activities with the goal of providing decent, safe, and sanitary housing for low- and moderate-income residents at an affordable price. Federal law requires that all CDBG projects must principally benefit low- and moderate-income (LMI) persons.

Components of Montana's CDBG Program: A wide variety of community development projects are eligible for funding during each calendar year's competitions in CDBG's four grant categories:

- **CDBG Planning Grants** – (from the Housing and Public Facilities portion of CDBG) – Federal Fiscal Year (FFY) applications are due **April each year**.
- **CDBG Public Facilities Grants** – Applications are due **May each year**.
- **CDBG Housing and Neighborhood Renewal Grants** – Applications are due **November each year**.
- **CDBG Economic Development (ED) Grants and Loans** – Visit the following website to apply for funding for economic development projects or planning funds related to an economic development study: http://businessresources.mt.gov/BRD_CDBG.asp. Under the Montana Department of Commerce, Business Resources Division, CDBG-ED is designed to stimulate economic development activity by assisting Montana's private sector to create or retain jobs for low and moderate-income persons. CDBG ED funding is available on an open cycle basis with applications accepted on a continuous basis as long as funding is available for the program year. Contact Karyl Tobel, Section Manager, Commerce Loan Fund, at 841-2733, or by email at karyl@mt.gov for more information.

CDBG Requires Benefit to Low- and Moderate-Income (LMI) persons: For CDBG Housing projects, an applicant must document that a minimum of 51% of the non-administrative funds requested for a project will be used for activities clearly designed to meet the identified needs of LMI residents. To receive credit as benefiting LMI persons, HUD regulations require that housing units assisted with CDBG funds must be occupied by low- and moderate-income persons.

Eligible Applicants: Eligible applicants for CDBG grants are limited to general-purpose local governments:

- Towns and cities under 50,000 population
- Counties
- Local governments can apply on behalf of nonprofit or for-profit organizations or special-purpose governmental agencies. The local government receiving the grant assumes ultimate responsibility for administration of funds and compliance with all federal and state requirements.

Eligible Activities: Eligible activities for CDBG Housing Grant applications:

- Acquiring, clearing, or rehabilitating sites or structures for use or for resale for new housing.

- Converting existing nonresidential structures for residential use.
- Demolition of vacant, deteriorated housing units with the intent of making the site available for new housing construction;
- Financing or subsidizing the construction of new permanent, residential units (including assisted living facilities) when a local nonprofit organization sponsors the project.
- Weatherization and energy conservation activities: Increasing the energy efficiency of housing units through installation of storm windows and doors, insulation, replacement of heating equipment, or other weatherization improvements.
- Rehabilitating substandard housing.
- Homebuyer assistance for low and moderate-income persons.
- Providing site improvements or public facilities to publicly owned land or land owned by a nonprofit organization to be used or sold for new housing.

Application Conditions for Previous CDBG Award Recipients: To be eligible to apply for a CDBG housing grant, a previous recipient of any CDBG award must:

- Be in compliance with the project implementation schedule in its CDBG contract with MDOC for any current grant awarded in the Public Facilities or Housing and Neighborhood Renewal categories;
- Not have any unresolved audit or monitoring findings related to any previous CDBG grant award; and
- Have met all additional conditions for eligibility that are relevant to applications (such as adequate spend-down of grant funds, submission of required project completion reports, scheduling of required audits, and reaching final or conditional closeout status). These additional conditions are described and explained in the **Montana Community Development Block Grant (CDBG) Program Application Guidelines for Housing and Neighborhood Renewal Projects**.

Grant Ceiling: The grant ceiling for CDBG Housing and Neighborhood Renewal projects is \$450,000.

Application Process: Two basic application requirements documents must be reviewed and followed to create a complete CDBG Housing Grant application. It is important for potential applicants to obtain *both* of the following publications from the Montana CDBG program in order to be aware of all requirements for CDBG housing grant applications:

- 1) **Montana Community Development Block Grant (CDBG) Program Application Guidelines for Housing and Neighborhood Renewal Projects**. This document contains instructions, requirements, and procedures and the format for CDBG Housing grant applications and provides specific, detailed information about CDBG housing program policies.
- 2) **The Uniform Application for Montana Housing Loan, Grant & Tax Credit Programs**. This is a common application form used for all Montana housing grant and loan programs. It must be completed and submitted to CDBG as one portion of the CDBG-specific housing grant application.

Potential applicants are encouraged to contact the Montana CDBG Housing Program staff (406) 841-2791 for assistance concerning grant applications. You can also find information about these topics at http://comdev.mt.gov/CDD_cdbg.asp.

MONTANA DEPARTMENT OF COMMERCE
MONTANA BOARD OF HOUSING
LOW INCOME HOUSING TAX CREDIT PROGRAM

The low income housing tax credit is available under Section 42 of the Internal Revenue Code of 1986. The credit is a federal income tax credit for owners of qualifying rental housing, which meets certain low-income occupancy and rent limitation requirements. The credit is taken as a reduction in participants' tax liability over a 10-year period. The credit can also be sold to investors to act as a financing source.

The Montana Board of Housing (MBOH) allocates the tax credit for housing located in Montana. An owner must first obtain a credit allocation from the MBOH before claiming the tax credit. The amount of tax credit, which may be allocated annually for housing within Montana, is found in the Housing web site under the tax credit information, or by contacting the Multifamily Program staff.

Eligible Applicants:

- Governmental Entities
- Nonprofit Entities
- For-Profit Developers

Eligible Projects:

- Residential rental buildings available to the general public including:
- New construction
- Substantial rehabilitation of an existing project
- Acquisition with substantial rehabilitation

Non-qualifying Properties:

- 4 units or less occupied by owner or relative
- Nursing Home or Life Care
- Retirement Homes with significant services
- Dormitories or Trailer Parks

Funding Requirements: Ten percent (10%) of the credit available is set aside for projects involving qualified nonprofit organizations. Twenty percent (20%) of the credit amount is reserved (in the first application round) for developments receiving \$125,000 or less in credits. Twenty percent (20%) of the credits is set aside for preserving existing low-income housing. The remaining credits are allocated in the general pool. Twenty-five percent (25%) of the total annual credit amount will be the maximum credit allocated to any one development or developer annually.

Federal law mandates that, although a proposed development may be technically eligible for a credit amount, the state housing credit agency (MBOH) may not allocate more credit than is necessary for the financial feasibility of the development and its viability as a qualified low-income housing project throughout the compliance period.

Application Process: Two competitive application rounds may be held each year to award the credits. Submission deadlines for these rounds are typically in February and May. Complete applications will be ranked according to the Development Selection Criteria of the program and reviewed for completeness and soundness of the development. The chief executive officer and

other community officials of the local jurisdiction of the development will be notified and given an opportunity to comment on the development. Based on the project reviews and public comments, the Board will award credits to successful applicants.

The Qualified Allocation Plan provides specific information about the program and all of its requirements. It is important that potential applicants obtain the current publication in order to be aware of these requirements.

MONTANA DEPARTMENT OF COMMERCE
MONTANA BOARD OF HOUSING
MULTIFAMILY RISK SHARING PROGRAM

The Risk Sharing Program is a source of permanent mortgage financing for affordable rental housing which meets certain low-income occupancy and rent limitation requirements. This program works in partnership with the Department of Housing and Urban Development (HUD), whereby HUD provides mortgage loan insurance and the Board provides mortgage underwriting and loan management as well as financing, and the two entities share the risk of loss from a project default.

The Montana Board of Housing (MBOH) is authorized to make loans to multifamily housing sponsors by state law. The MBOH received final approval to participate in the Risk Sharing Program with HUD on June 13, 1994.

The Board provides 30 year fixed rate mortgages for low-income rental housing that meet underwriting eligibility and receive approval of HUD mortgage insurance. The mortgage rate will be determined according to current market conditions when the loan is funded.

Eligible Applicants:

- Governmental Entities
- Nonprofit Entities
- For-Profit Developers

Eligible Projects: Residential rental buildings available to the general public of 5 or more units are eligible. This includes:

- New construction
- Acquisition with substantial rehabilitation

Non-qualifying Properties: Projects under construction, hotels, dormitories, transient housing, rooming houses, military impact areas as determined by HUD, retirement service centers with kitchen and dining facilities or luxury accommodations, nursing homes, intermediate care facilities (licensed as medical facilities) or trailer parks.

Funding Requirements: The Board intends to finance projects through the issuance of tax-exempt bonds or through funds within existing indentures.

Application Process: Proposals will first be submitted for Preliminary Feasibility Approval, (required for all projects) and provide an evaluation of projects on a preliminary basis. Requests for Preliminary Feasibility Approval will be accepted on a first-come/first-serve basis by the MBOH not later than the 15th of each month, and will be presented to the board the following month. Once the MBOH staff and Board approve the project through a Preliminary Feasibility Approval letter, the sponsor will be invited to submit the information required for Commitment processing.

The Risk Sharing Program Guidelines provide specific information about the program and all of its requirements. It is important that potential applicants obtain this publication in order to be aware of these requirements.

MONTANA DEPARTMENT OF COMMERCE
MONTANA BOARD OF HOUSING
MULTIFAMILY GENERAL OBLIGATION (G.O.) PROGRAM

The General Obligation (G.O.) Program is a source of permanent mortgage financing for affordable rental housing which meets certain low-income occupancy and rent limitation requirements. The Board provides mortgage underwriting and loan management as well as financing. The Montana Board of Housing (MBOH) obtained a General Obligation (G.O.) rating of A2 from Moody's Investors Service in April 1997. With this rating, the Board is able to issue tax-exempt bonds to finance projects that do not have mortgage insurance. These projects will typically have multiple sources of funding which have very low loan to value ratios and little risk of loss in the event of loan default. The Board will provide fixed rate mortgages for low-income rental housing that meet underwriting eligibility established by the Board. The mortgage rate will be determined according to current market conditions when the loan is funded.

Eligible Projects. Residential rental buildings available to the general public, including:

- New construction
- Acquisition with substantial rehabilitation

Non-qualifying Properties: Hotels, dormitories, transient housing, rooming houses, retirement service centers with kitchen and dining facilities or luxury accommodations, nursing homes, intermediate care facilities (licensed as medical facilities) or trailer parks.

Eligible Applicants

- Governmental Entities
- Nonprofit Entities
- For-Profit Developers

Funding Requirements: The Board intends to finance projects through the issuance of tax-exempt bonds or through funds within existing indentures.

Application Process: Proposals will first be submitted for Preliminary Feasibility Approval, which will be required for all projects, and which will provide an evaluation of projects on a preliminary basis. Requests for Preliminary Feasibility Approval will be accepted on a first-come/first-serve basis by the MBOH not later than the 15th of each month, and will be presented to the board the following month. Once the MBOH staff and Board approve the project through a Preliminary Feasibility Approval letter, the sponsor will be invited to submit the information required for Commitment processing.

The General Obligation (G.O.) Program Guidelines provide specific information about the program and all of its requirements. It is important that potential applicants obtain this publication in order to be aware of these requirements.

MONTANA DEPARTMENT OF COMMERCE
MONTANA BOARD OF HOUSING
SINGLE FAMILY SET-A-SIDE PROGRAM

The Montana Board of Housing has funds that it can use for special projects. The largest portion of these funds can be used to purchase FHA insured or VA and RD guaranteed mortgage loans for affordable homes. The mortgage rates on the loans are set to be from 0.5 to 1 point lower than the regular mortgage loan program. The MBOH is seeking proposals for programs that will provide affordable single-family homes for low-income Montanans using the above funds to provide permanent financing of such homes with 30-year mortgages, or to assist with short-term financing (1-3 years). Proposed programs should be targeted to populations that are not able to obtain home ownership through existing MBOH programs.

Innovative techniques in planning, construction, and building design are encouraged. Also encouraged is the use of additional assistance such as grants, donated or low cost labor and/or land, and infrastructure benefits that will also help provide homes to Montanans who otherwise could not acquire home ownership.

Eligible Projects

- **Include:** Single-Family Home ownership programs; short-term rent-to-own projects; HUD 184 guaranteed homes for either rentals or individual ownership.
- **Non-qualifying:** Individuals needing a personal mortgage should not apply under the set-a-side program. However, the individual may qualify for a mortgage under a program that has already received a set-a-side.

Eligible Applicants

- Governmental Entities
- Nonprofit Entities
- Indian Housing Authorities
- For-Profit Developers

Funding Requirements: All individual loans to homebuyers under this program must file the same documents and notices of recapture as the regular bond program. The MBOH intends to finance mortgage loan projects with the proceeds of new bond issues, and with the prepayments of loans under existing single-family bond programs. Maximum MBOH commitment per proposal is \$2 million.

Application Process: Applications received by the 15th of the month will be reviewed by the staff and presented to the MBOH the following month for its consideration. Proposals will be processed on a first-come, first-served basis.

The Set-a-side Program Request for Proposal provides specific information about the program and all of its requirements. It is important that potential applicants obtain this publication in order to be aware of these requirements.

MONTANA DEPARTMENT OF COMMERCE

HOME INVESTMENT PARTNERSHIPS (HOME) PROGRAM

The HOME Program is a federal block grant program directed by the U.S. Department of Housing and Urban Development and administered in Montana by the Montana Department of Commerce. The primary purpose of the HOME Program is to expand the supply of decent and affordable housing for low-and very-low income Montanans (at or below 80% of Area Median Income).

Eligible Applicants

- Local governments (Cities, Towns, and Counties)
- Community Housing Development Organizations (CHDOs). CHDOs are nonprofit housing organizations certified by the Montana HOME Program
- Public Housing Authorities
- Eligible applicants may sponsor a HOME application on behalf of ineligible entities

Single-Family Pilot Program: HOME has instituted a Pilot Program for Homebuyer Assistance and Homeowner Rehabilitation activities. This is a non-competitive program; an application is not required. To access Single-Family funds, eligible entities must complete a Qualification Package (available on the website listed below). There is no deadline.

Projects Requiring a Competitive Application:

- New Construction, Acquisition and/or Rehabilitation of Rental Property
- Tenant Based Rental Assistance (TBRA)
- Projects involving the development of new housing for homeownership when the period from project set-up to completion will take longer than 180 days

Funding Requirements:

- Up to \$500,000 may be requested, subject to per-unit subsidy limits
- Minimum HOME investment per housing unit is \$1,000
- Required 5% match from non-federal sources
- An additional amount may be requested for soft costs (total grant amount may not exceed \$500,000).

Deadline: Applications must be received at the MDOC office in Helena or be postmarked on or before 5:00 pm on the third Friday in February.

Application Process: The HOME Program Guidelines provide information on program-specific requirements not included in the Uniform Application. It is important that applicants address the requirements found in the current year HOME Program Guidelines. Guidelines are available by request or on the HOME Program website:

http://housing.mt.gov/Hous_HM.asp

HOME staff is available throughout the year to provide program-specific guidance to potential applicants. Applicants are highly encouraged to contact the Montana HOME Program early for assistance in identifying eligible projects. Contact the HOME Program at 406-841-2820.

USDA RURAL DEVELOPMENT HOUSING PRESERVATION GRANTS

Housing Preservation Grants (HPG) are partnered with Housing Authorities and/or public bodies for the purpose of rehabilitating single family dwelling units or multi-family housing units which are occupied by very low to low income rural persons.

Eligible Applicants: Eligible applicants include public bodies or public or private nonprofit corporations, including Indian Tribes. The applicant must have experience in administering low-income housing developments, be legally obligated to administer HPG funds, and have adequate resources to carry on other programs to which they are committed without jeopardizing the HPG Project. When an identity of interest exists between a nonprofit entity and the owner of a dwelling, the property is not eligible for assistance. Individual homeowners can receive HPG assistance providing they meet the following requirements:

- Income determined to be very low or low.
- Provide proof of ownership of the dwelling.

Rental properties and tenants are considered eligible if they meet the following requirements:

- Owners of rental properties must provide proof of ownership.
- In order for a unit within a rental property to be assisted with HPG funds the following requirements must be met:
- The tenant must have income that meets the very low or low-income definition.
- The tenant must be the intended occupant of the unit.
- When an identity of interest exists between a nonprofit entity and the owner of a dwelling, the property is not eligible for assistance.

Eligible project purposes include:

- Installation or repair of sanitary water and waste systems;
- Energy conservation: insulation, windows, and doors;
- Repair or replacement of heating systems;
- Electrical wiring;
- Repair of structural supports and foundations;
- Repair or replacement of roofs;
- Replacement of severely deteriorated siding or porches;
- Alterations to provide accessibility for disabled people;
- Repair of National Register of Historic Places;
- Repairs to manufactured housing;
- Additions to dwellings to alleviate overcrowding or to remove health hazards;
- Replacement housing (existing, individual owner occupied only). If the cost of such repairs is not economically feasible or practical, then the grantee may consider replacing the existing housing with replacement housing.

Application Process: Applications may be submitted during a 90-day period, typically starting in December each year. The exact dates in which applications can be received are outlined in the Notification of Fund Availability (NOFA) when it is published in the Federal Register. Applications may be submitted to any Montana Rural Development Local Office or the State Office.

USDA RURAL DEVELOPMENT RURAL RENTAL HOUSING 515 PROGRAM

The basic objective of the Rural Rental Housing program is to provide eligible low and very low-income persons with economically designed and constructed rental facilities suited to their living requirements.

Eligible Applicants: To receive assistance through the 515 program, applicants must meet the following criteria:

- Must have the ability and experience to operate and manage a rental housing project successfully.
- May be individuals, trusts, associations, partnerships, limited partnerships, state or local public agencies, cooperatives, and nonprofit corporations.

Eligible Projects: Applications will be invited from designated places only. The designated place list is reviewed and updated each fiscal year. Eligible loan purposes include:

- Construction of new multi-family housing units including:
 - Purchase and improve land
 - Provide streets, water and waste disposal systems
 - Supply appropriate recreation and service facilities
 - Install laundry facilities and equipment
 - Landscaping
- Purchase and rehabilitate existing dwellings where:
 - Rehabilitation work is moderate to substantial.
 - The structure must be physically and structurally sound enough to afford maximum safety.
 - Create a suitable and appealing living environment and be substantially equivalent to new construction in quality and livability.

Funding Considerations: The amortization period of each loan will not exceed the economic life of the security. The payment period will not exceed 30 years from the date of the note; however, if necessary to ensure affordability, the loan may be amortized for a period not to exceed 50 years.

Loan limits:

- Nonprofits - 102% (100% of the value of the security, plus 2% initial operating capital).
- Limited Profits - 97% of security value.
- Limited Profits with Tax Credits - 95% of security value.

Interest rate: Market rate reduced to 1%. The payment is based on 1% plus tenant contribution in excess of basic rent.

Application Process: Applications may be submitted during a 90-day period, typically starting in December each year. The exact dates in which applications can be received are outlined in the Notification of Fund Availability (NOFA) when it is published in the Federal Register. Applications must include all information, materials, forms, and exhibits required by 7 CFR, part 1944, subpart E. Applications should be submitted to the state office.

Ranking Criteria: Loan requests determined complete and for authorized purposes will be reviewed and scored utilizing the following:

- Presence and extent of leveraged assistance (5 to 20 points), which includes:

- Loans and grants from other sources.
- Contributions (above the required amount) from the borrower's own resources (including land).
- Low Income Housing Tax Credits.
- Tax abatements.
- The loan request is for units to be developed on Tribal land (20 points).
- The loan request includes donated land (5 points).

USDA RURAL DEVELOPMENT FARM LABOR HOUSING 514 & 516 PROGRAM

The Farm Labor Housing program provides loans and grants to finance construction of on and off-site housing for farm laborers and their families.

Eligible Applicants: To be eligible for assistance through the Farm Labor Housing program, the applicant must meet the following requirements:

- Be a farm worker
- Family farm partnership
- Family farm corporation
- Association of farmers whose farming operations demonstrate a need for farm labor housing, or an organization which will own the housing and operate it on a nonprofit basis
- Nonprofit limited partnership in which the general partner is a nonprofit entity.

Funding: Loans are subsidized to borrowers at a one-percent interest rate. The program also has tenant subsidies available to reduce the amount of rent a tenant must pay.

Loan Limits:

- If receiving any benefits from tax-credits, the amount will be limited to no more than 95% of the total development cost or 95% of the security value, whichever is lower.
- For applicants without tax credits, nonprofit entities, or state or local public agencies, the amount of the RHS loan will be limited to the total development cost or the security value, whichever is less, plus the 2% initial operating capital.
- For all other applicants, the amount of the RHS loan will be limited to no more than 97% of the development cost or the security value, whichever is less.

Grant Limits:

- Maximum amount of the grant may not exceed the lesser of 90% of the total development cost; or
- That portion of the total cash development cost which exceeds the sum of any amount the applicant can provide from its own resources plus the amount of a loan which the applicant will be able to repay, with interest, from income from rentals which low-income farm worker families can be reasonably expected to pay.

Application Process: Applications may be submitted during a Notification of Funding Availability (NOFA). Applications are to be submitted to the Montana Rural Development State Office.

USDA RURAL DEVELOPMENT

SECTION 538 - GUARANTEED RURAL RENTAL HOUSING PROGRAM

This program is intended to reach the needs of rural America not being served with the section 515 Direct Rural Rental Housing Program - mainly rural residents with low to moderate incomes.

Eligible Applicants: Eligible applicants include nonprofit corporations, public bodies, and for-profit organizations.

Eligible lenders are those currently approved and considered eligible by the Federal National Mortgage Association, the Federal Home Loan Mortgage Corporation, the Federal Home Loan Bank members, or the Department of Housing and Urban Development for guaranteed loan programs supporting multifamily housing.

State Housing Finance Agencies (HFAs) are also considered eligible lenders provided they demonstrate they have the ability to underwrite, originate, process, close, service, manage, and dispose of multifamily housing loans in a prudent manner. Other lenders have the opportunity to enter into a correspondent bank relationship with approved lenders in order to participate in the program.

Eligible tenants include very low-, low- and moderate-income (up to 115% of median) households. Rents must average 30% of median income for the area served, adjusted for family size. Mixed income projects are encouraged.

Eligible Projects: New or existing with rehabilitation. The focus will be on the creation of new units, not refinancing. Rehabilitation must be classified as moderate or substantial. Eligible areas in Montana include any area that shows a need and demand except Billings, Bozeman, Great Falls, Helena, and Missoula.

Funding Considerations: Eligible loan amounts are determined as follows:

- Nonprofit corporations, public bodies - up to 97% of value or development cost whichever is lower.
- For-profit owners - up to 90% of value or development cost, whichever is lower.

Section 538 loans have a maximum term of 40 years, and loans must be fully amortized.

Rates of guaranteed loans must be fixed, as negotiated between lender and borrower, within the Rural Housing Service maximum established under the Notice of Fund Availability (NOFA). The rate is based on the 30-day Treasury Bond Rate on the day prior to date of loan closing.

The guarantee amount will be limited to 90%. The guarantee covers unpaid principal, interest, and other allowable fees.

Lien positions are required. USDA Rural Development must hold a first mortgage or deed of trust for the final project.

There are some fees associated with the guaranteed loan program. The initial loan guarantee fee is 1% payable to Rural Development at guarantee. For combination construction and permanent financing, the Agency reserves the right to charge an additional fee on the portion advanced during construction, which will be announced in the annual Notice of Fund Availability

(NOFA). The annual servicing fee is ½% of the outstanding balance due annually on the anniversary date of the note.

Subsidies are available. At least 20% of the loans guaranteed shall be provided with interest credit by Rural Development to the extent necessary to reduce the rate to the applicable federal rate as defined in section 42 of the tax code.

Guarantee loans also have preservation requirements. Loans must remain affordable to eligible households for the term of the loan, unless the project is determined to be no longer needed or the lender acquires title to the property through foreclosure or deed-in-lieu of foreclosure. This requirement is statutory.

Application Process: Upon approval of the fiscal year budget, Rural Development will issue an annual Notice of Funds Availability (NOFA). The notice will set forth the deadlines for application, the interest rate, and other requirements for the program, including additional guidance on the criteria for selection of loan guarantees.

USDA RURAL DEVELOPMENT COMMUNITY FACILITIES LOAN AND GRANT PROGRAMS

The federally funded USDA Rural Development Community Facilities Program assists local governments, nonprofit corporations, and Indian Tribes to finance essential facilities such as assisted living centers and group homes.

To be eligible, essential community facilities must meet all the following criteria:

- A function customarily provided by a local unit of government
- Needed for orderly development of rural community - a public improvement
- Does not include private/commercial/industrial undertaking (except industrial sites)

DIRECT LOANS

Eligible Applicants: The following are considered eligible applicants for assistance through the Community Facilities Program:

- Governmental entities such as towns, cities, counties, or special purpose districts such as hospitals, schools, or fire districts.
- Nonprofit organizations (including associations, private corporations, or cooperatives) if they can demonstrate significant ties with the local rural community. Significant ties could be evidenced by:
 - Association with a public body(s)
 - Broadly based community representation within its membership OR broad-based board of directors
 - Public funding through taxes or community fund-raising
- Indian Tribes on federal and state reservations and other federally recognized Indian Tribes.

Eligible Projects: To be eligible, proposed projects must meet all of the following criteria:

- Primarily serve rural areas defined as cities, towns, or unincorporated areas with a population of 20,000 or less for loans and grants.
- Provide certification that the applicant is unable to obtain other credit at reasonable rates and terms and is unable to finance the proposed project from their own resources.
- Applicant must have the legal authority to construct the facility and issue security for and repay the debt. Final control of the facility must remain with the borrower organization for the life of the loan. The borrower may enter into a contractual agreement for management of the facility by a third party by contract management agreement.

Eligible projects include, but are not limited to, health care and assisted living facilities; group homes; fire, rescue and public safety services; and community, social or cultural services facilities.

Ineligible loan purposes include facilities used primarily for recreational purposes; facilities which are not modest in size, design and cost; on site utility systems; or business and industrial buildings in connection with industrial parks.

Funding Considerations: In order to be eligible for Rural Development Community Facilities Programs, the applicant must certify their inability to obtain adequate financing from commercial sources.

⇒ **Joint funding from other agencies is strongly encouraged - evidence of leveraging receives additional priority points during the application review.**

Funds may be used to construct, enlarge, expand, or otherwise improve facilities, which provide essential community services. This includes construction of new facilities, purchase and renovations or expansion to existing facilities, or expansion or improvements to facilities already owned by the applicant.

Loan terms will not exceed 40 years or the useful life of the facility financed or will not exceed state law or applicant's organization authority.

Interest rates are based on the Median Household Income (MHI) of the project service area. The MHI will be determined from income data provided by the most recent US Census.

Security is usually a general obligation or revenue bond for public bodies and liens on real and chattel property and assignment of income for nonprofit corporations.

Application Process: Applications are accepted by USDA Rural Development at any time during the year. Each application is then given a priority score based on income, population, health and other considerations. Those applications with the highest priority points are selected to proceed with the application process.

Applicants should submit the "Uniform Application" to request funding consideration. Upon receipt of this application, Rural Development will determine priority for funding and request the additional information and certifications needed to complete the application process.

Please contact Montana Rural Development and a representative will meet with you to further explain the program and provide assistance to complete the application process.

GRANTS

Eligible Applicants: Eligibility requirements are the same as those for the direct loan program with the following exception:

- The median household income in the area to be served by the proposed facility must be below 80% of the state non-metropolitan median household income of \$22,970, or below \$18,376.

Eligible Projects: Projects will be selected based on a priority point system. Projects that will receive priority are those that:

- Serve small communities with the highest priority going to those with a population of 5,000 or less;
- Serve small communities with the highest priority going to communities with a median household income below the established poverty line of \$16,050.

Funding Considerations: A graduated scale based on population, median household income, and economic feasibility determines maximum grant assistance. Grant funds are used to supplement financial assistance consisting of Rural Development Community Facilities Loans, applicant contributions or loans and grants from other sources. The amount of grant funds provided for a project shall not exceed 75% of the total cost of developing the facility.

Application Process: The application process is the same as for the Community Facilities Loan Program.

LOAN GUARANTEES

Eligible Applicants: The Community Facilities guaranteed loan program is designed to serve the same groups and can be used for the same purposes as the direct loan program. The major difference is that an eligible lender makes the loan with a Government guarantee. The maximum percentage of guarantee is 90%; however, the guarantee will normally not exceed 80%. Guaranteed loans may be made in conjunction with direct community facilities loans.

Eligible Projects: Eligible loan purposes are the same as those for the direct Community Facilities loan program.

Funding Considerations

Interest rates are negotiated between the lender and the borrower and may be fixed or variable rates. A variable rate must be tied to a base rate published in a recognized financial publication.

The maximum allowable period for repayment will be the useful remaining life of the facility, but not more than 40 years. The lender's policies and state laws usually dictate the number of years of repayment.

Tax-exempt issues where the interest paid to the lender is exempt from IRS taxes cannot be guaranteed.

Application Process: The “Uniform Application” may be used for this guaranteed loan program. This would be the first step in the initial determination of the funding priority rating. Normally, the applicant works directly with a lender in developing a complete application to submit